

NOTICE OF INTENT TO FILE A CLAIM

North Dakota Department of Transportation, Construction
SFN 16743 (Rev. 03-2000)

This form is required to be submitted to file a notice of claim for extra compensation as outlined in Specification 104.06 and the North Dakota Century Code.

If the contractor deems additional compensation is warranted, the contractor shall, prior to beginning work on which the claim will be compensation. If the basis for the claim does not become apparent until the contractor has proceeded with the work and it is not feasible to stop the work, the contractor shall immediately notify the engineer that work is continuing and that written notification of the intent to make claim will be submitted within 10 calendar days. Failure of the contractor to give required notification and to provide the engineer proper facilities and assistance in keeping strict account of actual costs will constitute a waiver of the claim for additional compensation in connection with the work already performed. Notification of a claim, and the fact that the engineer has kept account of the costs involved, shall not be construed as proving or substantiating the claim's validity.

1.	Name Of Claimant	Street Address		
	Business Telephone Number	City	State	Zip Code
2.	Project Number And Description			

3. State specifically the act, failure to act, event, thing, occurrence, plan error, specification ambiguity, condition, cause of delay, or alleged suspension which gives rise to this notice of claim.

4. The beginning date of such act, failure to act, event, thing, occurrence, cause of delay, or alleged suspension which gives rise to this notice of claim: _____

5. State on a separate sheet each of the following items which are applicable to the claim. If the item is not applicable to the claim, you must indicate as such in writing.

- The date, nature, and circumstances of the conduct regarded as a change.
- In the instance of eliminated items or the termination of contract, the basis for the contractor's claim for additional payment.
- In the instance of alleged extra work, the basis for the contractor's claim that the work is extra.
- In the instance of alleged acceleration or delay of scheduled performance or delivery, the basis for the contractor's claim of accelerations or delays.
- In the instance of differing site conditions, the basis for the contractor's claim that the site conditions are different.
- The particular elements of contract performance for which the contractor is seeking additional compensation.
 - What pay item(s) have been or may be affected by the alleged change?
 - To the extent practicable, what labor or materials or both have been or maybe added, deleted, or wasted by the alleged change and what equipment has been idled, added, or required for additional time?
 - To the extent practicable, describe what delay a disruption in the manner and sequence or performance has occurred and describe what effect on continued performance has been or may be caused by the alleged change.
 - To the extent practicable, what adjustments to contract price, delivery schedule, and other provisions affected by the alleged change are estimated?

6. State the specific reasons for making the claim. *(Use additional pages as necessary.)*

7. I certify that the foregoing statements made by me are true. I am aware that if any statement made herein is willfully false or fraudulent, that I am subject to punishment provided bylaw. I further certify that I have made a good faith effort to disclose the full nature and extent of this claim in the above answers.

NAME

POSITION

DATE

SIGNATURE OF CLAIMANT'S AUTHORIZED REPRESENTATIVE

(Type name of individual signing and his position with claimant above.)

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